

ORGANIZATIONAL MEETING HELD ON TUESDAY, DECEMBER 7, 2010, AT 6:00 P.M. AT THE VILLAGE HALL, 76 WILLIAM STREET, LYONS NEW YORK.

PRESENT: Corrine Kleisle, Mayor
Dennis Alvaro, Deputy Mayor
Richard Evangelist, Joanne Greco, (Arrived at 7:55 P.M.), Terry VanStean, Trustees
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney (Left at 6:59 P.M.)
Michael Salerno, General Working Foreman

All present rose to pledge the flag.

Mayor Kleisle opened the Public Hearing for Local Law 2-2010 adopting new building permits and inspection fees.

She asked for comments from the public. There were none. She asked for comments from the Village Board. There were none.

Local Law 2-2010 will be referred to the Joint Planning Board.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that Public Hearing for Local Law 2-2010 is adjourned until after the Joint Planning Board has met and has made a ruling on this.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle called the Organizational Meeting to order.

Mayor Kleisle made the following appointments:

Mayor Corrine Kleisle
Budget Officer, DPW, Water and Sewer Depts.
Personnel Officer
Village Spokesperson
Justice Department
Village Office
Negotiations
Local Laws/public hearing

Trustee Dennis Alvaro:
Deputy Mayor
Joint Facility
Building: Structural Repairs- (all facilities)
New York Main Street

Trustee Terry VanStean:
Strategic Plan Coordinator (sign committee)
Joint Village, Town, School Shared Services Committee
Peppermint Days Representative
Economic Development Liaison
Community and Business (Rotary, Chamber of Commerce, Lyons Comm. Center)

Trustee Richard Evangelist
Police Department
Code Enforcement Officer
Planning Board/Zoning Board

Trustee Joanne Greco:
Fire Department
Parks
Trees
Celebrations

Purchasing & Insurance: Village Board and Clerk-Treasurer
Insurance Administrator-Clerk-
Treasurer

Finance Committee: Village Board and Clerk-Treasurer

Licenses & Printing: Mayor and Clerk-Treasurer

Negotiating Committee: Mayor Kleisle

Recodification: Village Board/Mayor

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the appointments made by Mayor Kleisle be approved.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the Clerk-Treasurer be and is hereby appointed Tax Collector, Collector of Water and Sewer Rents, Service Connections charges and misc. fees and charges which shall be due and owing the Village of Lyons, always accepting fees and charges legally collectable by other Village Officers and Departments.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the Deputy Clerk be authorized to make extension to the Village Tax Roll.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the Village Board authorize the use, as a minimum, of the following commercial banks or trust companies (not saving banks or associations) located and authorized to do business in New York State for placing investment firms (GML II, Local Finance Law 165.00): Lyons National Bank, HSBC, Key Bank of New York and J.P. Morgan Chase and any other commercial banks or trust companies meeting the above requirements when bidding conditions warrant and

BE IT FURTHER RESOLVED that the Clerk-Treasurer is hereby delegated authority to make day-to-day investment decisions within the guidelines and limitations of policy adopted by the Village of Lyons on February 24, 1998.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the Wayne County Star, the Finger Lakes Times and the Times of Wayne County be designated as the official newspapers for the Village of Lyons for the ensuing year.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the Board of Trustees for the Village of Lyons has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village of Lyons who use their personal automobile while performing their official duties on behalf of the Village: that the Board of Trustees shall approve reimbursement to such officers and employees at the Federal rate should the Federal rate adjust, we will adjust to the Federal rate.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that in the absence or inability of the Treasurer or Deputy Treasurer to sign checks issued by the Village of Lyons, the Mayor is hereby authorized to sign checks as authorized by the Board of Trustees and

BE IT FURTHER RESOLVED that in the absence or inability of the Treasurer or Deputy Treasurer, the Mayor is hereby authorized to sign withdrawal statements from Open Time Accounts of the Village of Lyons for the purpose of transferring funds to checking accounts for payment of audits.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the regular patrolman of the Village of Lyons be designated as Acting Sergeant for the purpose of accepting bail pursuant to the Criminal Procedure Law and for the purpose of Verification and Complaint, pursuant to the Vehicle and Traffic Law of the State of New York.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the Faithful Performance Blanket Position Coverage be placed in force for the amount of \$25,000 each for the Village Justice, Acting Village Justice, and Court Clerk, Clerk-Treasurer and Mayor; and the Clerk-Treasurer, Deputy Clerk-Treasurer and the Water/Sewer Clerk-Executive Secretary be additionally bonded in the amount of \$500,000.00.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the regular meeting of the Village Board of Trustees be held on the third Tuesday of each month at 6:00 P.M. and a workshop the first Tuesday at 6:00 P.M of each month, and

BE IT FURTHER RESOLVED that a Special Meeting may be called by the Mayor or any two Trustees upon notice to the entire Board; notice shall be given at least five days in advance unless an emergency exists; notice is to be given by telephone, e-mail or in writing or in person.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the recommendation of the Mayor be approved and Arthur Williams, Esq. be and hereby is appointed Village Attorney, Public Officer at an annual salary of \$12,000.00 for the Village of Lyons for the ensuing year based on his years of Municipal Law experience.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the recommendation of the Mayor be approved and that Richard C. Wunder be and hereby is appointed Acting Village Justice for the ensuing year.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the recommendation of the Mayor is approved and the following persons be appointed to the Joint Village/Town Planning Board to serve without compensation:

John Hewes	7 years
John McCranels	6 years
Scott Bailey	3 years
Andrea Evangelist, Alternate	2 years
Harry L. Aunkst	2 years

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the recommendation of the Mayor is approved and the following persons are appointed to the Zoning Board of Appeals to serve without compensation:

Brian Engels	4 years
Joan Smith	3 years
James Wilhelm	2 years
Glen Halcus	2 years
Clifford Hunt	1 year

AND BE IT FURTHER RESOLVED that the Zoning Board of Appeals be given authorization to appoint a Chairman of the Zoning Board of Appeals for the ensuing year.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that Town Clerk, Sal Colatarci be appointed to act as Village Registrar of Vital Statistics for the ensuing year.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the Village Board authorizes the Clerk-Treasurer or the Deputy Clerk-Treasurer to make payments of claims for public utility services, including gas and electric, telephone, postage, freight, FICA

payroll taxes, Blue Cross/Blue Shield, Teamsters Insurance, debt service and trust and agency related payroll deduction, prior to regular audit.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that there is to be held during the coming official year, Wayne County Village Officials Association Meetings

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings benefit the municipality,

BE IT FURTHER RESOLVED that the following officers and employees are hereby authorized to attend the meeting: Mayor, Village Board, Clerk-Treasurer, Deputy Clerk-Treasurer, Village Attorney, Code Enforcement Officer, Police Chief, Village Justice, and Fire Chief and no more than three representatives attend these meeting unless otherwise approved by the Village Board.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that Carol Bailey be and is appointed the Village Historian for the ensuing year with no compensation.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that at the beginning of each Village Board meeting, a pledge to the American Flag will be done and it be done with proper decorum.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the Organization Meeting be closed at 6:20 P.M.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Village Attorney, Arthur Williams, will follow up with Code Enforcement Officer, James Murphy, on 35 Phelps Street to confirm the property is now up to code.

Mayor Kleisle announced there will be a Public Hearing on December 17 at the WCIDA, 16 William Street, at 11:00 A.M. to discuss Midland Asphalt's request for a PILOT Program. This is our opportunity to go and make comments. She stated the Town of Lyons Attorney will be present to make a statement. She encourages everyone to attend.

RESOLUTION offered by Mr. Alvaro, second by Mr. Evangelist

RESOLVED that the budget is increased \$5,054.96 in F8340.493, Water Meters and F2144, Water Service Charges, for the reimbursement of meters purchased by Silgan and Midland Asphalt.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that authorization is granted to pay F.W. Construction for pay application #5 for \$20,330 from the General fund and be reimbursed by EFC in January 2011.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Resolution offered by Mr. Alvaro, second by Mr. VanStean

RESOLVED that permission is granted for the Mayor, Village Board, and Clerk-Treasurer to attend the Wayne County Village Officials meeting to be held January 19, 2011, hosted by the Village of Lyons at Studebaker's Restaurant & Party House. All expenses to be borne by the Village of Lyons.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that a letter be sent to Ms. Terry Hughes approving her business at 32 William Street and the Village Board agrees to waive the 30-day waiting period for applying for a liquor license.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle announced she will be out of town December 18 –through the second week of January.

Mayor Kleisle presented the monthly Justice report for November 2010. On file for future reference.

Mayor Kleisle read communication received from the New York State Department of Health regarding purchasing all water from the Wayne County Water Authority. They requested the Wayne County Water Authority to provide information on the Route 31 pump station. They also gave the Village two options in decommissioning the wells and the water treatment plant. 1. The Village can elect to keep the well as an emergency source and 2. The Village can choose to abandon the wells and remove all equipment.

Mayor Kleisle suggested the Village should put together a Request for Proposal to send out to Engineering firms for guidance and expert advice in decommissioning the Water Treatment Plant.

RESOLUTION offered by Mr. Evangelist, second by Mr. Alvaro

RESOLVED that the Mayor is authorized to send out RFP to Engineering Firms for their expert advice and their assistance to decommission the Water Treatment Plant.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle read a Notice of Order received from New York State Department of Transportation that they will lower the speed limit from 55 mph to 50 mph between the westerly Village of Lyons boundary and a point of 0.6+ mile easterly. For information only.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the Village of Lyons, that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator Nozzolio, Member of Assembly Oaks, and the New York State Conference of Mayors.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle stated she received communication from John Luber, Controller from Midland Asphalt Materials, Inc. They are requesting to receive a reduction in their sewer rate different from that of its water usage. They would like to install two water meters to meter their manufacturing and railroad boiler consumption. By metering these amounts, they can account for the water used in manufacturing and not returning to the sewers. The net difference between our main water meter and the two requested meters would give us the gallons returning to the sewer.

RESOLUTION offered by Mr. VanStean, second by Mr. Alvaro

RESOLVED that the request by Midland Asphalt Materials, Inc. to receive a reduction in their sewer rate by installing water meters to meter their manufacturing and railroad boiler consumption is granted.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle discussed the study from CGR regarding the full time Code Enforcement Officer between the Village and the Town of Lyons. The study performed, showed the Village activities are 85% of the total complaints. Mayor Kleisle feels since the majority of the complaints are in the Village, the person selected should be a Village employee and we should contract with the Town of Lyons. Trustee Evangelist strongly supports the full time Code Enforcement Officer, even if we have to cut back in other areas. If we agree to the full-time Code Enforcement Officer, this will be an increase of approximately \$28,000 to the Village Tax payers. The Board supported the additional cost to be appropriated at budget time. Ms. Brenda VanDuyne commented that she disagrees with a full time Code Enforcement Officer. Stating we cannot pay to have our roads paved. We do not have the money for this. She suggested hiring another part-time person with increased hours.

Village Attorney, Arthur Williams, left at 6:59 P.M.

Mayor Kleisle read correspondence from Tom Sawtelle, Town of Lyons Code Enforcement Officer. Mr. Sawtelle wrote a letter to Rodney Graybill owner of 8686 and 8700 Hill Road. Mr. Graybill has requested that water be turned off at that location. Mr. Sawtelle has determined to allow 4 of the 5 private hydrants to be turned off with conditions. For information only.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle stated an official determination needs to be made as to what we are going to with purchasing our water from the Wayne County Water Authority. We need to start working on a contract to get everything in place.

Communication has been received from Lyons Central School regarding the billing they received from the Village to have the water turned off at the field house, concession stand, and the athletic complex. Mayor Kleisle stated the bill was not received very well. Trustee VanStean stated he would like to discuss this at a Shared Services meeting.

Mayor Kleisle announced there will be a public information meeting, Thursday, December 9, 2010, at 7:00 P.M. at the Joint Fuel Facility. This is in regards to the water study on the southeast of Wayne County.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that authorization is granted to Mayor Kleisle to sign Appendix X-no cost time extension (thru – December 31, 2011) on the North & South Side Erie Canal Project, contract C100827 with the New York State Canal Corporation.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that Mayor Kleisle is authorized to execute the Supplemental Agreement No. 1 to D032025 between the New York State Department of Transportation and the Village of Lyons for the West Water Street Bridge design.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Mayor Kleisle discussed with the Village Board her thoughts on hiring someone to plow streets and parks. Someone that could be on call when the Department of Public Works needs assistance.

RESOLUTION offered by Mr. VanStean and second by Mr. Evangelist

RESOLVED that authorization is granted for General Working Foreman, Michael Salerno, hire a part time laborer to work when needed at a rate of \$10.00 per hour.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the Village of Lyons financially supports the Lyons Industrial Park/Port.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that Officer in Charge Dresser, Officer Minisce and Officer Shields are authorized to attend, "Chemical Suicide: Information for First Responder" on Thursday, December 9, 2010 at 7:00 P.M. Use of LPD car and overtime for Officer Shields is also granted.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Trustee Alvaro reported 98% of the brush pick up has been completed. The Department of Public Works is currently working on snow removal.

A discussion took place regarding the Department of Public Works picking up Christmas Trees from the residents after the Christmas holiday. It was determined the Village will not be picking up Christmas trees. There will be a drop off location at the end of Clyde road for residents to drop off Christmas trees. This will be advertised.

The employee Holiday Luncheon will be held on Thursday, December 23rd at 12:00 P.M. at the Fire Department.

Mayor Kleisle thanked Val VanStean for the work she did for the lighting of the park. Everything looks great.

RESOLUTION offered by Mr. Evangelist, second by Mr. Alvaro

RESOLVED that an executive session be declared for employment history and contract negotiations.

AYES: Mr. Alvaro, Mr. Evangelist, Mr. VanStean

Michael Salerno, General Working Foreman, was present.

Michael Salerno, General Working Foreman left at 7:48 P.M.

Trustee Greco arrived at 7:55 P.M.

RESOLUTION offered by Mr. Evangelist, second by Mr. Alvaro

RESOLVED that regular session be resumed at 8:30 P.M.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION offered by Mr. Alvaro, second by Ms. Greco

RESOLVED that effective immediately, Arthur Harris is terminated due to his inability to perform his job.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the meeting be adjourned.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Meeting adjourned at 8:30 P.M.

Denise Darcangelis, Clerk-Treasurer